

Application No.: 10/024432

Docket No.: KAQ-003

REMARKS

Claims 1-22 are pending in the application of which claims 1, 16 and 21 are independent.

Claim Rejections Pursuant to 35 U.S.C. §102(b)

Claims 1-8, 11-12, 16-17 and 21-22 were rejected under 35 U.S.C. §102(e) as being anticipated by Guck (United States Patent Number 5, 848, 415, hereafter "Guck"). For the reasons set forth below, Applicants respectfully traverse the rejections.

Summary of Claimed Invention

The claimed invention provides a mobile content framework (MCF) that facilitates abstracting content and behavior from the rendering of content on a requesting device. Content is abstracted in a manner specifically tailored to take into account the limited resources of certain devices such as mobile device (although the process works for devices not under resource restrictions). The abstraction process allows the distribution of uniform content to multiple types of requesting devices. Content is generated specifically for each device, both from a display standpoint and a content navigation standpoint. The MCF includes a generic markup language, referred to as Wireless Abstract XML (hereafter WAX) that is easily extended and can be translated into a variety of different mobile device markup languages. Content is first translated into WAX from the original language of the content provider, or is created in WAX originally, and then converted into a device appropriate language for a requesting mobile device. WAX is designed to enable the content developer to describe content at a more abstract level than that used in individual protocols. The greater level of abstraction enables the subsequent conversion of WAX into the languages used by the requesting mobile devices such as WML, HDML and HTML. Typical markup languages focus on how content is rendered on the device, while WAX focuses on generic but smart objects whose transformation is tailored to specific devices. During this transformation process, the MCF ensures the best type and length of text is used, the best type and size of image is used, and that the content is well suited and customized

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for the device attributes. The customization process uses device attribute records stored in databases to choose appropriate content for the requesting device.

Summary of Guck

Guck discusses the use of a protocol and format conversion process that may be utilized with an object database. Requests from a client device for a document cause the requested document to be retrieved, and if necessary, converted to a protocol and format required or requested for the requesting client device. The conversion process uses many different converter objects to perform the required transformations. In the event a single converter for the required transformation cannot be identified, the system of Guck allows multiple converters to be chained together to produce the result as part of multi-stage process.

Argument

Guck fails to disclose all of the elements of Applicants independent claims, claims 1, 16 and 21, and therefore fails to anticipate Applicants invention. Independent claims 1 and 21 (the independent method claim and corresponding medium claim) both include the element of converting content from a generic markup language into device-specific content. Similarly, independent claim 16 includes the elements of translating content to a generic markup language and then converting the content into a device-specific content.

Guck fails to disclose the use of a generic markup language in either the Examiner-cited sections of the reference or anywhere else in the patent. Rather, the system discussed in Guck relies on the use of many different converter objects. Each of the converter objects performs a specific transformation from one format to another. See figure 5 and the discussion thereon located at col. 10, line 35 to col. 11, line 23 of Guck. This is a fundamentally different process from the conversion process described in Applicants' claimed invention. Guck notes that "[T]he actual algorithm used by each Converter object's transform function depends on the particular type of transformation that it performs. Some conversions are simple and some are very complicated (col. 11, lines 1-4)." Put another way, the amount of processing is highly dependent upon the specifics of the original and destination format. In contrast, Applicants' use of a

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generic markup language simplifies part of the conversion process by always starting the conversion process from an easily translatable base format. This is both a technical and functional difference and it is not disclosed by Guck.

Claim Rejections Pursuant to 35 U.S.C. §103(a)

Claims 9-10, 13-15, and 18-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Guck in view of Tokumaru et al(United States Patent Application No.: 2001/0039578, hereafter "Tokumaru"). For the reasons set forth below, Applicants respectfully traverse the rejections.

Argument

Applicants respectfully suggest that Tokumaru is not a valid prior art reference and may not be combined with Guck to teach or suggest Applicants claims as it fails to pre-date Applicants priority date. Applicants filed their utility application on December 18, 2001 claiming priority to their provisional application filed December 18, 2000. December 18, 2000 is thus the date that a reference must precede pursuant to one of the provisions of 35 U.S.C. §102 in order to be considered a valid reference for 35 U.S.C. §103 purposes. Tokumaru fails to do so. Tokumaru is a published United States application with a publication date of November 8, 2001. This does not pre-date Applicants' priority date for the purposes of 35 U.S.C. §102(a)(b) or (e) (and 35 U.S.C. §102(c) and (d) are not applicable to the instant application).

Applicants additionally note that claims 9-10, 13-15, and 18-20 are all dependent upon the independent claims 1, 16 and 21 discussed above. The Examiner relies on Guck for teaching and suggesting the limitations of the independent claims. However, since Guck fails to disclose all of the elements of Applicants claims for the reasons set forth above, and since Tokumaru also fails to teach or suggest these elements, Applicants respectfully suggest that claims 9-10, 13-15, and 18-20 are in condition for allowance as each of the dependent claims includes the elements of their respective underlying independent claim.

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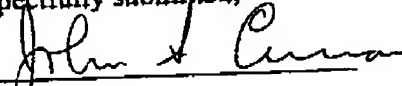
CONCLUSION

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Applicants believe no fee is due with this statement. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. KAQ-003 from which the undersigned is authorized to draw.

Dated: January 18, 2005

Respectfully submitted,

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